



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

OFFICE OF THE  
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April 24, 2019

Honorable Jose L. Linares  
United States District Judge  
U.S. Post Office & Courthouse  
Federal Square  
Newark, New Jersey 07102

Re: **Gentile v. Securities and Exchange Commission, Civil Action No. 19-5155**

Dear Judge Linares:

The Securities and Exchange Commission, defendant in the above-captioned matter, writes in response to the letter by counsel for plaintiff Guy Gentile, which was submitted to this Court on April 24, 2019. Plaintiff argues that the "SEC has taken a diametrically opposite position in the Florida subpoena enforcement proceeding than that argued here." Plaintiff mischaracterizes the statements in this matter and the Florida enforcement proceedings, and the SEC disagrees with the argument in Plaintiff's letter. In light of the Court's April 17, 2019 Text Order, we will not present any reply argument here. However, counsel for the SEC can respond if the Court would like additional briefing on this narrow point.

Respectfully submitted,

/s/ Matthew S. Ferguson  
Matthew S. Ferguson  
Senior Counsel  
Office of the General Counsel  
United States Securities and Exchange Commission

CC: Counsel  
(via ECF)